



MISSOURI DEPARTMENT OF MENTAL HEALTH

KEITH SCHAFER, DEPARTMENT DIRECTOR



DEPARTMENT
OPERATING
REGULATION
NUMBER

DOR
4.480

CHAPTER Program Implementation and Records	SUBCHAPTER Release Discharge Procedures	EFFECTIVE July 1, 2014	NUMBER OF PAGES 3	PAGE 1 of 3
SUBJECT Policies and Procedures for Granting Passes and Privileges to Criminally Committed Clients		AUTHORITY Section 630.050, RSMo		HISTORY See Below
PERSON RESPONSIBLE Director, CPS			SUNSET DATE July 1, 2017	

PURPOSE: Prescribes policies and procedures for granting of passes and privileges to clients committed under Chapter 552, RSMo or committed to the Department of Mental Health as Criminal Sexual Psychopaths.

APPLICATION: Applies to all facilities confining criminally committed clients. This DOR does not apply to immediate conditional release, conditional release or unconditional release requests (as defined in DOR 4.475).

(1) For purposes of this DOR, the following terms mean:

(A) "Forensic client," a client committed to the Department of Mental Health pursuant to sections 552.020, 552.030, or 552.040, RSMo.

(B) "Pretrial client," a client ordered to undergo an evaluation of competence to proceed to trial and/or criminal responsibility pursuant to sections 552.020 or 552.030, RSMo and presentence evaluations pursuant to section 557.031 RSMo.

(C) "Incompetent to proceed client," a client committed to the department for care and treatment to restore competence pursuant to section 552.030, RSMo.

(D) "Not guilty by reason of mental disease or defect (NGRI)," a client committed to the department for care and treatment pursuant to section 552.040, RSMo.

(E) "Secure Perimeter," a boundary established by a series of locked doors and fences designed to prevent unauthorized absences, ingresses or egresses.

(2) Forensic clients shall be given increased passes and privileges in a graduated, systematic process which reflects their progress in treatment and which reflects consideration of all appropriate risk factors.

(3) All pass and privilege requests should be processed using the current "Request for Passes and Privileges."

(4) All passes and privileges for forensic clients shall be approved by the Chief Operating Officer or designee, and shall be documented using the current "Request for Passes and Privileges" which explains the purpose of the pass or privilege and provides clinical justification for the pass or privilege. The appropriateness of the pass or privilege shall be determined by the Chief Operating Officer or designee in consultation with the treatment team and treating psychiatrist taking into consideration all current risk assessment information, which will include a review of clinical and legal issues. The pass or privilege authorization and the appropriate progress note must be reviewed monthly or more frequently as needed. Successful completion of previous passes and privileges may be considered in future requests.



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(5) Pretrial clients shall not have unescorted passes and privileges unless specifically granted by the referring court. This includes clients on a “police hold”. In addition, all clients admitted for pretrial evaluations shall not leave the secure perimeter unless in escort devices as required by DOR 1.340, and must be escorted at all times within the secure perimeter.

(6) Clients committed as NGRI may leave the grounds of a facility only when personally supervised by Department of Mental Health staff following the procedures for the use of escort devices as described in DOR 1.340 unless they are NGRI clients on a court-ordered Conditional Release. Clients committed as a criminal sexual psychopath must follow the same procedures as clients committed as NGRI.

(7) Clients committed as NGRI may be granted escorted passes into the community. All such passes require escort by facility staff and staff are required to carry a communication device at all times. All off-campus passes shall be approved by the Chief Operating Officer or designee and must be documented in the medical record with a physician’s order.

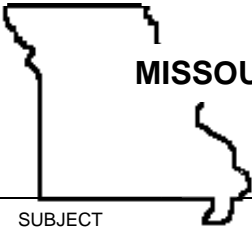
(8) Clients committed as NGRI or as criminal sexual psychopaths may be granted unescorted passes on the grounds of the facility up to a maximum of thirty (30) minutes. This time limit may not be exceeded without a process by which the client checks in with staff. For clients on unescorted status, staff are required to call prior to the client leaving for a program or work site and to call back when the client is returning to the ward or cottage.

(9) Any pass off of the facility's grounds for an NGRI client which is not supervised by department staff must be a court-ordered conditional release (with or without discharge) as governed by DOR 4.475 and Section 552.040.

(10) Clients committed as incompetent to proceed may be granted escorted privileges within the secure perimeter consistent with the Placement Guidelines. Escort outside of the secure perimeter should only be permitted for necessary medical appointments following the procedures for escort devices as described in DOR 1.340.

(11) Each facility shall develop a written procedure outlining the criteria for granting, monitoring and withdrawing passes and privileges for forensic clients. The facilities pass procedures may be more restrictive than this regulation, but may not be less restrictive.

(12) Variations to the above requirements may be approved by the Director of Forensic Services on an individual case basis consistent with the Placement Guidelines when unique needs of clients or facilities warrant such variation.



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(13) Quality Assurance. The head of the mental health facility where clients committed under Section 552 RSMo. reside shall, through the forensic coordinator or other designee, ensure that all appropriate staff are trained regarding the policies and procedures contained in this DOR.

HISTORY. Original DOR effective September 1, 1990. Reinstated January 1, 1994. Amendment effective August 1, 1998. Amendment effective July 1, 1999. Amendment effective July 1, 2002. Amendment effective July 1, 2005. On July 1, 2008 the sunset date was extended to July 1, 2011. Amendment effective July 1, 2011. On July 1, 2011 the sunset date was extended to July 1, 2014. On July 1, 2014 the sunset date was extended to July 1, 2017.